

REMARKS

Claims 1-25 are pending in this application. Claims 1-3, 6-17, 19 and 20 were rejected. Claims 4, 5 and 18 were objected to. Claims 1, 8, 9 and 17 have been amended. The Examiner's reconsideration of the rejection is respectfully requested in view of the above amendment and the following remarks.

Applicants gratefully acknowledge the Examiner's indication that claims 4, 5 and 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicants also gratefully acknowledge the Examiner's indication that claims 21-25 are allowed.

REJECTIONS UNDER 35 U.S.C. § 112:

Claim 9 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention, for the reason set forth on page 2 of the Office Action.

The Examiner stated that "...third thickness ...fourth thickness..." is unclear. Applicants have amended claim 9 to address all issues raised by Examiner. Applicants respectfully submit that the amended claim satisfy the requirements under 35 U.S.C. § 112. Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2, 6, 7 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Park (U.S. Patent No. 6,522,376).

It is respectfully submitted that Park does not disclose or suggest “a pixel electrode having a first height at a reflecting area and a second height at a transmitting area, wherein the first height is greater than the second height with respect to a substrate”, as essentially recited in amended claims 1 and 17. In contrast, Park discloses a pixel electrode (70) having a first height at a reflecting area (68) and a second height at a transmitting area (72), wherein the first height is equal to or less than the second height with respect to a substrate (1). (See Fig. 5d). Therefore, Applicants respectfully submit that claims 1 and 17 are not anticipated by Park.

Claims 2, 6 and 7 depend from claim 1 and include the elements of the independent claim and therefore are not anticipated by the cited reference for the reasons given above.

Therefore, Applicants respectfully request that the Examiner withdraw the rejections of claims 1, 2, 6, 7 and 17 under 35 U.S.C. § 102(e) and claims 1, 2, 6, 7 and 17 are in condition for allowance.

Rejections under 35 U.S.C. § 103:

Reconsideration is respectfully requested of the rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Park in view of Ha (U.S. Patent No. 6,704,081).

Claim 3 depends upon claim 1. Claim 3 is believed to be patentable over the combination of Park and Ha for at least the same reasons given above for the base claim 1 because the Park and Ha combination does not disclose or suggest the embodiments

recited in claim 1. Accordingly, reconsideration of the obviousness rejections is respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 8-11, 15, 16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Park in view of Baek (U.S. Application Publication No. 20020036730).

Applicants respectfully submit that the amendments to independent claim 8 render claim 8 patentable over the cited references. The combination of cited references does not disclose or suggest “a pixel electrode having a first height at a reflecting area and a second height at a transmitting area, wherein the first height is greater than the second height with respect to a substrate,” as essentially recited in amended claim 8.

As stated above, Park does not disclose or suggest “a pixel electrode having a first height at a reflecting area and a second height at a transmitting area, wherein the first height is greater than the second height with respect to a substrate,” as essentially recited in amended claim 8.

Baek is directed to a liquid crystal display device having different cell gaps (d3, d4). Baek does not disclose or suggest “a pixel electrode having **a first height** at a reflecting area and **a second height** at a transmitting area, wherein the first height is greater than the second height with respect to a substrate,” as essentially recited in amended claim 8. In contrast, Baek discloses a pixel electrode (120) having **a single height** at a reflecting area and at a transmitting area with respect to a substrate. (See. Fig. 3).

Accordingly, even assuming, *arguendo*, that Park and Baek are combined, the combination does not disclose or suggest “a pixel electrode having a first height at a

reflecting area and a second height at a transmitting area, wherein the first height is greater than the second height with respect to a substrate,” as essentially recited in amended claim 8.

Claims 9, 10, 11, 15 depend upon claim 8. Claim 19 depends upon claim 17. These dependent claims are believed to be patentable for at least the same reasons provided for the allowable base claims.

Reconsideration is respectfully requested of the rejection of claims 12 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Park and Baek in view of Auman (U.S. Patent No. 5,856,432).

Claim 12 depends upon claim 8. The claim rejection is based, in part, on the rejection of claim 8, based on the combination of Park and Baek. However, as explained above, the combination of Park and Baek is legally deficient to establish *prima facie* case of obviousness against claim 8. Therefore, the dependent claim 12 is believed to be allowable for at least the reasons given for base claim 8.

Claim 20 depends upon claim 17. The dependent claim 20 is believed to be allowable due to its dependency on the allowable independent claim.

Reconsideration is respectfully requested of the rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Park and Baek in view of Ha.

Claim 13 depends upon claim 8. The claim rejection is based, in part, on the rejection of claim 8, based on the combination of Park and Baek. However, as explained above, the combination of Park and Baek is legally deficient to establish *prima facie* case of obviousness against claim 8. Therefore, the dependent claim 13 is believed to be allowable for at least the reasons given for base claim 8.

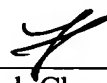
Reconsideration is respectfully requested of the rejection of claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Park and Baek in view of Acosta (U.S. Application Publication No. 20030067575).

Claim 14 depends upon claim 8. The claim rejection is based, in part, on the rejection of claim 8, based on the combination of Park and Baek. However, as explained above, the combination of Park and Baek is legally deficient to establish *prima facie* case of obviousness against claim 8. Therefore, the dependent claim 14 is believed to be allowable for at least the reasons given for base claim 8.

Additionally, the Office Action argues on page 4 that Park discloses “a first edge extended to the transmitting area (see figure 6 (60))”. It is respectfully submitted that this interpretation is misplaced because element (60) in Fig. 6 is not a transmitting area. In contrast, the element 60 is a data line.

For the foregoing reasons, the present application, including claims 1-25, is believed to be in condition for allowance. The Examiner’s early and favorable action is respectfully requested. The Examiner is invited to contact the undersigned if he has any questions or comments in this matter.

Respectfully submitted,



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